STATE OF VERMONT PUBLIC SERVICE BOARD

CPG # NM-1187

Application of Burke Mountain Resort for a certificate of public good for an interconnected group net-metered wind turbine)))	
	Order entered: 3/29/2011	

I. Introduction

This case involves an application filed by Burke Mountain Resort ("Applicant") on February 22, 2011, requesting a certificate of public good ("CPG") pursuant to 30 V.S.A. §§ 219a and 248 and Vermont Public Service Board ("Board") Rule 5.100, for a net metering system.¹ The net metering system is a group system that utilizes a wind turbine and includes three electric meters.

Notice of the application in this docket was sent by the Applicant to all parties as specified in the Board's Rule 5.100. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within thirty (30) days of the date that the notice of the application was sent.

On March 25, 2011, the Village of Lyndonville Electric Department ("LED") filed a letter via e-mail stating that it has been unable to resolve the amount to be credited to the kWh generated by the system, but it "does not oppose the Petition as filed."²

No other comments on the revised application have been filed with the Board.³

^{1.} The application was originally filed on July 26, 2010, but has since been significantly revised and amended by the Applicant in response to inquiries from the Board and the Village of Lyndonville Electric Department ("LED"), the serving utility, with a complete and revised application submitted to the Board and all other required parties on February 22, 2011.

^{2.} LED letter at 1. LED should note that the amount to be credited to group net metering systems using demand meters is specifically defined in Board Rule 5.102(G) as the company's general service rate classs.

^{3.} LED filed comments regarding the original incomplete application, but has not filed comments on the revised application. The Board also received an e-mail from Reed Cass, a condominium owner at Burke Mountain, on February 20, 2011, expressing some general concerns regarding the presence of wind turbines at ski resorts.

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The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a and 248 and the Board's Rule 5.100, a CPG should be issued without further investigation or hearing.

II. FINDINGS

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

- 1. The proposed group net metering project is located on property owned by Burke 2000 LLC at 237 Pinkham Road in East Burke, Vermont. Application at Section 1.
- 2. The wind turbine has a tower height of 121 feet and a rotor diameter of 69 feet. Application at Section 5.
- 3. The proposed project consists of a wind turbine system with a system-rated power output of 95 kW AC. The facility will be interconnected with the LED electrical distribution system. Application at Section 5 and Attachment.
- 4. Applicant has specified the meters to be included in the group system by account number and location. Applicant has also provided a method for adding or removing meters included in the group system. Application at Section 7 and attachments.
- 5. Applicant has designated Tim McGuire as the person responsible for receiving all communications regarding the group system. Application at Section 7.
- 6. All disputes among users of the group system shall be resolved by the Applicant. Application at Section 7.
- 7. Applicant has certified that the project is in compliance with all of the provisions of Sections 3 and 8 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Sections 3 and 8 and Attachments.
- 8. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

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III. Conclusion

In Docket No. 6181,⁴ the Board developed a net metering program in accordance with the statutory requirements of 30 V.S.A. § 219a. This program was further refined by the Board with the adoption of Board Rule 5.100. The goals of the Order and Rule are to encourage private investment in renewable energy resources, stimulate the economic growth of the state and enhance the continued diversification of energy sources used in Vermont. The standards and requirements adopted in the Order and Rule have been determined by the Board to protect public safety and system reliability.

Based upon the findings and evidence, the proposed net metering project will be in compliance with the requirements of the Board's Order in Docket No. 6181 and Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the state.

IV. ORDER

It Is Hereby Ordered, Adjudged and Decreed by the Public Service Board of the State of Vermont that the proposed wind turbine group net metering system, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. § 219a, and a certificate of public good to that effect shall be issued in this matter, pursuant to 30 V.S.A. §§ 219a and 248.

^{4.} Investigation into the Use of A Net Metering System for the Purchase and Sale of Electricity from Small Electrical Generating Systems to and from Electric Companies, Docket No. 6181, April 21, 1999.

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DATED at Montpelier, V	rermont, this <u>29th</u> day of	March	, 2011.
	s/ James Volz)	
)	PUBLIC SERVICE
	s/ David C. Coen		Board
)	of Vermont
	s/ John D. Burke)	
Office of the Clerk			
Filed: March 29, 2011			
Attest: s/ Susan M. Hudson			

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Clerk of the Board

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.